

REMARKS

Claims 92-101 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 51-52, 54, 59, 60, 70, 71, 77, 79 & 81-91 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bonk et al (U.S. Pat. No. 6,399,234). This rejection is respectfully traversed.

Claims 53, 61, 62, 64, 65, 68, 69, 75, 78, and 80 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bonk et al (U.S. Pat. No. 6,399,234), as applied to claims 51 and 70 above, in view of Wilson et al (U.S. Pat. No. 6,207,310). This rejection is respectfully traversed.

Claims 55, 56, 72, and 73 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bonk et al (U.S. Pat. No. 6,399,234), as applied to claims 51 and 70 above, further in view of Debe et al (U.S. Pat. No. 5,910,378). This rejection is respectfully traversed.

Claims 57 and 74 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bonk et al (U.S. Pat. No. 6,399,234), as applied to claims 51 and 70 above, further in view of Koschany et al (U.S. Pat. No. 6,183,898). This rejection is respectfully traversed.

Claims 58 and 76 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bonk et al (U.S. Pat. No. 6,399,234), as applied to claims 51 and 70 above, further in view of Harada (U.S. Pat. No. 5,399,184). This rejection is respectfully traversed.

Claims 63 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bonk et al (U.S. Pat. No. 6,399,234), in view of Wilson et al (U.S. Pat. No. 6,207,310) as applied to claim 61 above, and further in view of DeMarinis et al (U.S. Pat. No. 6,368,476). This rejection is respectfully traversed.

Claims 66 and 67 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bonk et al (U.S. Pat. No. 6,399,234), in view of Wilson et al (U.S. Pat. No. 6,207,310), and further in view of Debe et al (U.S. Pat. No. 5,910,378). This rejection is respectfully traversed.

At the outset, Applicant notes that claims 51-91 have been cancelled and claims 92-101 have been added to the application. Independent claim 92 includes the limitation of "a gasket disposed between said membrane electrode assembly and said separator plate and having an outer perimeter portion defining an opening which receives said gas diffusion layer, said gasket including at least one first tab portion extending into said opening between said gas diffusion layer and said separator plate." Applicant notes that the tab 66 shown in Figures 1 and 2 are illustrative of the tab referred to in the specification and Figure 5 is illustrative of the tab 66 being disposed between the gas diffusion layer 94 and the separator plate 92. Applicant submits that none of the prior art references cited teach or suggest a gasket as claimed having at least one tab portion extending into the opening of the gasket and between the gas diffusion layer and separator plate, as claimed. Therefore, Applicant respectfully

submits that the present claim should be in condition for allowance and reconsideration and withdrawal of the above rejections.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (734) 354-5445.

Respectfully submitted,

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